



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/JDG/CMP
F.#2008R00530

*271 Cadman Plaza East
Brooklyn, New York 11201*

February 10, 2011

By ECF

The Honorable Brian M. Cogan
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Thomas Gioeli, et al.
Criminal Docket No. 08-240 (S-6) (BMC)

Dear Judge Cogan:

The government respectfully submits this letter to advise the Court, the defendants Joel Cacace, Thomas Gioeli and Dino Saracino and defense counsel that, earlier today, the Attorney General authorized and directed the United States Attorney to seek the death penalty against the defendant Joel

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Cacace and not to seek the death penalty against the defendants
Thomas Gioeli and Dino Saracino.

Respectfully submitted,

LORETTA E. LYNCH
UNITED STATES ATTORNEY

By: /s/ Elizabeth A. Geddes
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cc: Adam D. Perlmutter, Esq. (by ECF)
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Clerk of the Court (BMC) (by ECF)